

REGULATORY PROGRAM PERMIT ACTION

APPLICANT: Monterey County

AREA: Salinas River near Marina, and Carmel River near Carmel, Monterey County, California

CONGRESSIONAL DISTRICT: 17th District, Rep. Sam Farr

DESCRIPTION: The applicants carry out annual "emergency" breaching of the sandbars located at the mouths of the Salinas and Carmel Rivers. The Monterey County Public Works Department has been breaching the sandbar at the mouth of Carmel River every year since 1973 in order to prevent flooding to the surrounding area. Waiting until the natural breaching elevation is reached would place 25 single-family units within the limits of inundation and flood residential streets, one sewer pump station and its collection system, and various overhead electrical facilities. Therefore, breaching is normally performed at a lower level under "emergency" conditions. Sandbar material is side cast using earth-moving equipment to excavate a pilot breaching channel. The level of flooding will vary from year to year and breaching may be required on the Carmel during late summer. Adverse impacts to juvenile steelhead may result from premature breaching, which exposes juvenile fish to extreme salinities and predation before they are fully developed as smolts.

STATUS: Carmel River - the Monterey County Water Resources Agency (MCWRA) applied for a breaching permit in February 1999. The Corps initiated an endangered species consultation with the National Marine Fisheries Service (NMFS). In September 2001 the MCWRA completed a biological assessment. NMFS does not believe the assessment is adequate. The MCWRA believes they have provided the best available scientific data and have no funds to do additional research, and therefore request the consultation be completed with the current data. As of this date, the NMFS has not issued a Biological Opinion on the breaching and they state if they did, it would be a jeopardy opinion. A Corps permit cannot be issued without a Biological Opinion. The County continues to breach without permits. During the summer of 2004 the local, state and federal agencies formed a technical advisory committee to find short term and long term solutions to the problem. None have yet emerged.

Salinas River – The MCWRA applied for a breaching permit in 1995. A Corps permit could not be issued because the MCWRA had not obtained a permit from the California Coastal Commission. An endangered species consultation with the NMFS was initiated in 2000 but has yet to be completed, for reasons similar to those of the Carmel River. NMFS has combined the consultation for this project with the consultation for Salinas Valley Water Project.

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